

PLAINTIFF	COURT CASE NUMBER
BENTON GENE BASKIN	CV21-01890-PHX-SPL-JFM
DEFENDANT	TYPE OF PROCESS
MR. WESTBROOK	42 U.S.C. § 1983
NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN	
SERVE AT	MR. WESTBROOK, TRANSCOR OF AMERICA
ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)	
646 Melrose Ave. Nashville, Tennessee 37211	
SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW	
BENTON GENE BASKIN, I/M #52888	
HUTCHINSON CORRECTIONAL FACILITY CENTRAL - D-1/#215	
HUTCHINSON, KANSAS 67504-1568	
Number of process to be served with this Form 285 3	
Number of parties to be served in this case 3	
Check for service on U.S.A. X	
SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):	

Signature of Attorney other Originator requesting service on behalf of:	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER	DATE
Benton Gene Baskin		620-662-2321	10/18/2022

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process 3 of 3	District of Origin No. 08	District to Serve No.	Signature of Authorized USMS Deputy or Clerk	Date
					11-2-2022

I hereby certify and return that I <input type="checkbox"/> have personally served, <input checked="" type="checkbox"/> have legal evidence of service, <input type="checkbox"/> have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.			
<input type="checkbox"/> I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)			
Name and title of individual served (if not shown above)		Date	Time
		12-01-22	2:30
Address (complete only different than shown above)		Signature of U.S. Marshal or Deputy	

Service Fee 8.00	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges 8.00	Advance Deposits	Amount owed to U.S. Marshal* or (Amount of Refund*)

REMARKS  
Waiver Returned

<input checked="" type="checkbox"/> FILED	<input type="checkbox"/> LODGED
<input type="checkbox"/> RECEIVED	<input type="checkbox"/> COPY
DEC 02 2022	
CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
BY	DEPUTY

AO 399 (01/09) Waiver of the Service of Summons

## UNITED STATES DISTRICT COURT

for the  
District of ArizonaBENTON GENE BASKIN*Plaintiff*

v.

WESTBROOK*Defendant*

Civil Action No. CV21-01890-PHX-SPL-JFM

## WAIVER OF THE SERVICE OF SUMMONS

To: BENTON GENE BASKIN*(Name of the plaintiff's attorney or unrepresented plaintiff)*

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 2 November 2022, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 12/01/2022Defendant Westbrook*Printed name of party waiving service of summons*Courtney Lacaille*Signature of the attorney or unrepresented party*Courtney Lacaille (for Defendant Westbrook)*Printed name*Struck Love Bojanowski & Acedo, PLC  
3100 W. Ray Road, Suite 300  
Chandler, Arizona 85226*Address*clcaille@strucklove.com*E-mail address*(480) 420-1600*Telephone number*

## Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.